

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CASE NO. 05-10059-DPW

UNITED STATES

VS.

CHAD BENJAMIN

**AFFIDAVIT IN SUPPORT OF
MOTION TO SUPPRESS PHYSICAL AND EVIDENCE**

I, Chad Benjamin, being first duly sworn, depose and say that;

- 1.) I am the defendant named in the above indictment.
- 2.) On December 16, 2004, I was in a public place being a package store in the City of Taunton.
- 3.) Police officers in SWAT-type gear with badges and weapons displayed approached me and demanded identification.
- 4.) I explained that I did not have my papers as they were in my car.
- 5.) The police officer grabbed me and patted me and threw me to the ground.
- 6.) The police allege that I was carrying a gun with ammunition among other items of contraband located on the floor.
- 7.) I did not resist the officers nor did I engage in any furtive activity.
- 8.) I did not consent to the warrantless search of my person.

Signed under the pains and penalties of perjury this day of

/s/ Chad Benjamin